

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION**

<b>In re:</b>  <b>Kevin L Norris,</b>  Debtor  <b>Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT</b>  Movant  v.  <b>Kevin L Norris,</b>  Debtor/Respondent  <b>WILLIAM C. MILLER, Esq.,</b>  Trustee/Respondent	<b>Bankruptcy No. 20-14781-elf</b>  <b>Chapter 13</b>  <b>Related Doc.: 28</b>  <b>Hearing: September 14, 2021 at 9:30 AM</b>
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**STIPULATION RESOLVING MOTION FOR RELIEF FROM STAY**

Secured creditor, Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT, and Debtor, Kevin L Norris ("Debtor"), by and through their respective attorneys, hereby stipulate as follows:

**I. BACKGROUND:**

1. On December 18, 2020, Kevin L Norris ("Debtor") executed and delivered a Promissory Note ("Note") and a Mortgage ("Mortgage") securing payment of the Note in the amount of \$96,500.00.
2. The Mortgage was recorded on September 18, 2014, with the Delaware County Recorder of Deeds.
3. The Mortgage was secured as a lien against the property located in Delaware County commonly known as 831 E Penn Pines Blvd, Aldan, Pennsylvania 19018-4310 (the "Property").

4. The Note and Mortgage were lastly assigned to U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT.
5. As of June 3, 2021, Debtor had defaulted under the terms of the Note and Mortgage by failing to make the monthly payments of principal, interest and escrow which resulted in Secured Creditor filing the instant Motion for Relief from Stay (Doc No. 28).
6. Since the filing of the Motion for Relief, Debtor's post-petition obligation has been brought current with the loan being due for the October 1, 2021 post-petition installment payment.
7. Debtor further acknowledges that additional payments of principal, interest and escrow currently in the amount of \$979.27, per month shall become due under the Note and Mortgage on the 1<sup>st</sup> day of each successive month, beginning October 1, 2021, until the Note is paid in full. Debtor acknowledges that the monthly payment is subject to change and is responsible for same.
8. Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT and Debtor desire to resolve this matter in accordance with the set forth terms below:

## **II. STIPULATION FOR RELIEF FROM STAY**

1. Debtor confirms and acknowledges his obligations to Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT under the Note and Mortgage.
2. Debtor further confirms and acknowledges his prior failure to make the post-petition payments of principal, interest and escrow and the current account status as set forth above in paragraphs 5 and 6.
3. Debtor further agrees to continue to make his regular post-petition payment of principal and interest in the amount of \$979.27, (Debtor's acknowledges that the monthly payment is

subject to change) which shall become due on the 1<sup>st</sup> day of each month beginning on August 1, 2021, until his obligation to Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT, its successors and/or assignees under the Note is paid in full.

4. In the event that Debtor converts to a Chapter 7 during the pendency of this Bankruptcy case, the Debtor shall cure the pre-petition and post-petition arrears within ten (10) days from date of conversion. Should the Debtor fail to cure the arrearage, Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT will send Debtor's counsel a written notification of default of this Stipulation. If the default is not cured within fifteen (15) days of the notice, Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay.
5. In the event the Debtor should default on his obligations under this Stipulation by failing to make ongoing payments as set forth above in Section II, Paragraph 3 on or before the dates on which they are due, then Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT, its successors and/or assigns shall serve Debtor's Attorney by fax, e-mail and/or regular mail, with written notification of default. In the event that Debtor fails to cure the default within fifteen (15) days of the date of the written notification, then, Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay, where upon Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title


Trustee for BCAT 2016-17TT or its assignee or successors may exercise its rights against the Mortgaged Property under the terms of this Stipulation without further notice to Debtor or the Order of this Court.

6. Additionally, Debtor agrees that he is not permitted more than two (2) defaults from the date of the Stipulation. Debtor agrees that if he defaults under the terms of this Stipulation more than two (2) times, then, without any further notice, Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT, its successors and/or assigns may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay, where upon Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT, its successors and/or assigns may exercise its rights against the Mortgaged Property under the terms of this Stipulation.
7. Neither Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT's consent to this Stipulation nor Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT's acceptance of any payments tendered by Debtor shall be construed as a waiver of Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT's right to proceed with or commence a foreclosure other legal action against Debtor under this Stipulation; however, Selene Finance LP as attorney in fact for U.S. Bank, N.A., not in Its Individual Capacity, but Solely as Legal Title Trustee for BCAT 2016-17TT agrees to credit Debtor's account for any payments made by Debtor in accordance with this Stipulation, the Note and/or Mortgage.

8. This Stipulation may only be modified by a revised Stipulation filed on the docket in the Bankruptcy. No oral modifications are permitted and any allegation that the Stipulation was modified orally will be disregarded as evidence. No written modifications are permitted, except for a revised Stipulation filed on the docket in the Bankruptcy.
9. Debtor hereby certifies and confirms that he has reviewed the terms of the Stipulation with his Counsel that Debtor understands and is in agreement with the terms of this Stipulation, and that counsel has been authorized by Debtor to sign this Stipulation on his behalf.

IT IS HEREBY STIPULATED:

By: /s/ Charles G. Wohlrab Date: 10/13/2021  
Charles Wohlrab  
Robertson, Anschutz, Schneid & Crane, LLC  
PA I.D. 314532  
10700 Abbott's Bridge Rd., Suite 170  
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*Attorney for Movant*

By: /s/  Date: 9/29/21  
Brad L. Sadek, Esq.  
PA I.D. \_\_\_\_\_  
Sadek and Cooper  
1315 Walnut Street  
Suite 502  
Philadelphia, PA 19107  
215-545-0008  
Fax : 215-545-0611  
Email: [brad@sadeklaw.com](mailto:brad@sadeklaw.com)  
*Attorney for Debtor*

By: /s/ LeRoy W. Etheridge Date: 10/7/2021  
Attorney for Chapter 13 Standing  
Trustee, Kenneth E. West  
1234 Market Street - Suite 1813  
Philadelphia, PA 19107  
Telephone: 215-627-1377  
Email: [ecfemails@ph13trustee.com](mailto:ecfemails@ph13trustee.com)  
\*No objection to the terms, without  
prejudice to any rights and remedies.

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION**

<b>In re:</b>  <b>Kevin L Norris,</b>  <b>Debtor</b>  <b>Selene Finance LP as attorney in fact for U.S. Bank,</b> <b>N.A., not in Its Individual Capacity, but Solely as</b> <b>Legal Title Trustee for BCAT 2016-17TT</b>  <b>Movant</b>  <b>v.</b>  <b>Kevin L Norris,</b>  <b>Debtor/Respondent</b>  <b>WILLIAM C. MILLER, Esq.,</b>  <b>Trustee/Respondent</b>	<b>Bankruptcy No. 20-14781-elf</b>  <b>Chapter 13</b>  <b>Related Doc.: 28</b>  <b>Hearing: September 14, 2021 at 9:30 AM</b>
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**ORDER OF COURT**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2021, upon consideration of the foregoing Stipulation Resolving Motion for Relief from Stay, it is hereby ORDERED that the Stipulation is approved.

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Judge Eric L. Frank

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**CERTIFICATE OF SERVICE**

I, the undersigned, certify under penalty of perjury that I am, and at all times hereinafter mentioned, was more than 18 years of age, that on October 13, 2021, 2020, I served a copy of the Stipulation Resolving Motion for Relief from Stay by first class U.S. Mail, postage prepaid or electronic mail at the following addresses:

Kevin L Norris  
831 E Penn Pines Blvd  
Aldan, PA 19018

Brad J. Sadek  
Sadek and Cooper  
1315 Walnut Street  
Suite 502  
Philadelphia, PA 19107

Kenneth E. West  
Office of the Chapter 13 Standing Trustee  
1234 Market Street - Suite 1813  
Philadelphia, PA 19107

United States Trustee  
Office of the U.S. Trustee  
200 Chestnut Street, Suite 502  
Philadelphia, PA 19106

By: /s/ Charles G. Wohlrab  
Charles G. Wohlrab, Esquire